

Application No. 10/820,383

Filed: April 8, 2004

TC Art Unit: 2622

Confirmation No.: 8459

REMARKS

Claim 1 and claims 3-26 are currently pending. Claim 1 and claims 3-26 stand rejected under 35 U.S.C. § 103(a). Independent claims 1, 17, 23, and 24 have been amended and claims 7-9 have been canceled without prejudice. Accordingly, after entry of this amendment, the pending claims will be claim 1, claims 3-6, and claims 10-26. No new matter has been added

The Applicant respectfully traverses the grounds for rejection in view of the above amendments and for the reasons provided below.

SECTION 103(a) REJECTIONS

Claim 1 and claims 3-26 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent Number 6,542,185 to Bogardus, et al. ("Bogardus") in view of U.S. Patent Number 6,212,286 to Rott, et al. ("Rott") and U.S. Patent Number 6,931,602 to Silver, et al. ("Silver"). More specifically, the Examiner asserts that Bogardus teaches all of the elements of the claims, conceding, however, that Bogardus does not explicitly recite selecting and generating an optical stimulus remotely but alleging that Rott discloses an adjustable camera calibration system in which the camera can send images locally or remotely for use to adjust and calibrate the camera. The Examiner further alleges that Silver discloses sending images from a remote server to a local camera for calibration/testing and remotely controlling local devices. In view of the above

-13-

Application No. 10/820,383

Filed: April 8, 2004

TC Art Unit: 2622

Confirmation No.: 8459

amendments and for the reasons provided below, the Applicant respectfully disagrees.

As previously asserted, independent claims 1, 17, 23, and 24 recite that parameters for influencing camera operating properties, such as uniformity, linearity, gain, pixel defect correction, focus, and so forth, are selected remotely and, based on the selected parameters, an optical stimulus, e.g., an object to be imaged by the camera, is selected or instantly generated remotely for local display. See, e.g., Specification, page 7, lines 24-31. The claims further recite that the camera is iteratively optimized and, moreover, that this optimization is validated using an additionally acquired image.

The Examiner has already conceded the shortcomings of the Bogardus reference. In addition, Bogardus does not teach, mention or suggest iterative optimization of camera operating procedures or optimization validation.

Rott discloses a

method for non-invasive and safe testing of telecommunication and broadcast tower or other airwave or cable transmitting and receiving devices and related equipment [e.g., optical stimulus] using a calibrated infrared camera . . . [that is] conducted from ground level and at some distance from the device being tested.

U.S. Patent Number , col. 1, lines 8-15 (Emphasis added).

According to claim 1 of the present invention, however, the camera is calibrated at the site of the optical stimulus. The equipment, devices, and so forth described by Rott are neither

Application No. 10/820,383

Filed: April 8, 2004

TC Art Unit: 2622

Confirmation No.: 8459

remotely adaptable nor remotely selectable by a user of the infrared camera for iterative optimization of the camera. Moreover, Rott does not teach, mention or suggest iterative optimization of camera operating procedures or optimization validation.

Silver discloses transmitting an image to a remote location. However, Silver does not teach, mention or suggest iterative optimization of camera operating procedures or optimization validation.

Accordingly, the references jointly and severally do not teach, mention or suggest the invention as recited in the claims. As a result, the Applicant believes that, the claims satisfy all of the requirements of 35 U.S.C. §§ 101, et seq., especially § 103(a), and are in condition for allowance; and respectfully requests withdrawal of the rejections.

Application No. 10/820,383
Filed: April 8, 2004
TC Art Unit: 2622
Confirmation No.: 8459

The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

PETER SEITZ

By: 

Gordon R. Moriarty
Registration No. 38,973
Attorney for Applicants

WEINGARTEN, SCHURGIN, GAGNEBIN
& LEBOVICI LLP
Ten Post Office Square
Boston, MA 02109
Telephone: (617) 542-2290
Telecopier: (617) 451-0313

GRM/mrb

360492.1